

★ MAY 25 2011 ★

D/F

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
YAKOV SLEPOY,

Plaintiff,

-against-

THE CITY OF NEW YORK;
POLICEMEN OF NYPD,

Defendants.

-----X
ROSS, United States District Judge:

By order dated May 3, 2011 (the "May 3 Order"), the court dismissed plaintiff's pro se complaint against defendants for failure to state a claim, but granted plaintiff leave to file an amended complaint within 30 days. The court warned plaintiff against filing a frivolous amended complaint based on his litigation history in this court.

On May 10, 2011, plaintiff filed an amended complaint. Plaintiff's amended complaint does not cure the deficiencies outlined by the court in the May 3 Order against the defendants named in the original complaint, fails to name any individual defendants, and does not provide a statement of claim. Instead, plaintiff repeats the same allegations set forth in his original complaint and again submits numerous disparate documents attached to his one-page amended complaint. See Plaintiff's Unmarked Exhibits (consisting of over 360 pages of, inter alia, correspondence, affidavits, transcripts, business cards, photographs).¹ Accordingly, it is

¹ Amongst the numerous documents, plaintiff includes two Certificate of Dispositions from the Criminal Court of the City of New York indicating that criminal charges against him were dismissed, see Compl. at ECF Document 4-8 at pp. 1, 28. Notwithstanding the fact that the court granted plaintiff leave to replead, he fails to name any individual defendants or provide a statement of claim to support a false arrest claim. Instead, the bulk of plaintiff's submissions involve his efforts to expose political corruption.

ORDERED, ADJUDGED AND DECREED: That this action is dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B) as set forth in the court's May Order.

The court cautions plaintiff that if he continues to file similar actions it may result in an order prohibiting him from filing a future lawsuit seeking in forma pauperis status in this court without first obtaining leave of the court.

The court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

/Signed by Judge Ross/

Allyne R. Ross
United States District Judge

Dated: May 25, 2011
Brooklyn, New York

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